

After consultation with the Office of General Counsel, I have determined that the subpoena relates to my official duties, and that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

JOSHUA D. CANTOR.

NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-241)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report concerning the national emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c).

1. On October 21, 1995, I signed Executive Order 12978, "Blocking Assets and Prohibiting Transactions with Significant Narcotics Traffickers" (the "Order") (60 Fed. Reg. 54579, October 24, 1995). The Order blocks all property subject to U.S. jurisdiction in which there is any interest of four significant foreign narcotics traffickers, one of whom is now deceased, who were principals in the so-called Cali drug cartel centered in Colombia. These persons are listed in the annex to the Order. The Order also blocks the property and interests in property of foreign persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, (a) to play a significant role in international narcotics trafficking centered in Colombia or (b) to materially assist in or provide financial or technological support for, or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the Order. In addition the Order blocks all property and interests in property subject to U.S. jurisdiction of persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the Order (collectively "Specially Designated Narcotics Traffickers" or "SDNTs").

The Order further prohibits any transaction or dealing by a United States person or within the United States in property or interests in property of SDNTs, and any transaction

that evades or avoids, has the purpose of evading or avoiding, or attempts to violate, the prohibitions contained in the Order.

Designations of foreign persons blocked pursuant to the Order are effective upon the date of determination by the Director of the Department of the Treasury's Office of Foreign Assets Control (OFAC) acting under authority delegated by the Secretary of the Treasury. Public notice of blocking is effective upon the date of filing with the Federal Register, or upon prior actual notice.

2. On October 24, 1995, the Department of the Treasury issued a notice containing 76 additional names of persons determined to meet the criteria set forth in Executive Order 12978 (60 Fed. Reg. 54582, October 24, 1995). Additional notices expanding and updating the list of SDNTs were published on November 29, 1995 (60 Fed. Reg. 61288), March 8, 1996 (61 Fed. Reg. 9523), and January 21, 1997 (62 Fed. Reg. 2903).

Effective February 28, 1997, OFAC issued the Narcotics Trafficking Sanctions Regulations ("NTSR" or the "Regulations"), 31 C.F.R. Part 536, to further implement my declaration of a national emergency and imposition of sanctions against significant foreign narcotics traffickers centered in Colombia (62 Fed. Reg. 9959, March 5, 1997).

On April 17, 1997 (62 Fed. Reg. 19500, April 22, 1997), July 30, 1997 (62 Fed. Reg. 41850, August 4, 1997), and September 9, 1997 (62 Fed. Reg. 48177, September 15, 1997), OFAC amended appendices A and B to 31 C.F.R. chapter V, revising information concerning individuals and entities who have been determined to play a significant role in international narcotics trafficking centered in Colombia or have been determined to be owned or controlled by, or to act for or on behalf of, or to be acting as fronts for the Cali cartel in Colombia. These actions are part of the ongoing interagency implementation of Executive Order 12978 of October 21, 1995. These changes to the previous SDNT list brought it to a total of 426 businesses and individuals with whom financial and business dealings are prohibited and whose assets are blocked under the Order.

3. OFAC has disseminated and routinely updated details of this program to the financial, securities, and international trade communities by both electronic and conventional media. In addition to bulletins to banking institutions via the Federal Reserve System and the Clearing House Interbank Payments System (CHIPS), individual notices were provided to all relevant State and Federal regulatory agencies, automated clearing houses, and State and independent banking associations across the country. OFAC contacted all major securities industry associations and regulators. It posted electronic notices on the Internet and over 10 computer bulletin boards and 2 fax-on-demand services, and provided the same

material to the U.S. Embassy in Bogotá for distribution to U.S. companies operating in Colombia.

4. As of March 25, 1998, OFAC had issued nine specific licenses pursuant to Executive Order 12978. These licenses were issued in accordance with established Treasury policy authorizing the completion of presanctions transactions and the provision of legal services to and payment of fees for representation of SDNTs in proceedings within the United States arising from the imposition of sanctions.

5. The narcotics trafficking sanctions have had a significant impact on the Cali drug cartel. Of the 133 business entities designated as SDNTs as of February 20, 1998, 41, or nearly a third, having a combined net worth estimated at more than \$45 million and a combined income of more than \$200 million, had been determined to have gone into liquidation. As a result of OFAC designations, 3 Colombian banks have closed about 300 SDNT accounts of nearly 100 designated individuals. One of the largest SDNT commercial entities, a discount drugstore with an annual income exceeding \$136 million, has been reduced to operating on a cash basis. These specific results augment the less quantifiable but significant impact of denying the designated individuals and entities of the cartel access to U.S. financial and commercial facilities.

Various enforcement actions carried over from prior reporting periods are continuing and new reports of violations are being aggressively pursued. Two criminal investigations are ongoing. Since my last report, OFAC has collected its first civil monetary penalty for violations of IEEPA and the Regulations under the program. OFAC collected \$2,625 from a commercial agent for ocean-going oil tankers for violative funds transfers.

6. The expenses incurred by the Federal Government in the 6-month period from October 21, 1997, through April 20, 1998, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the national emergency with respect to Significant Narcotics Traffickers are estimated at approximately \$620,000. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, and the Office of the General Counsel), the Department of Justice, and the Department of State. These data do not reflect certain costs of operations by the intelligence and law enforcement communities.

7. Executive Order 12978 provides my Administration with a tool for combating the actions of significant foreign narcotics traffickers centered in Colombia and the unparalleled violence, corruption, and harm that they cause in the United States and abroad. The Order is designed to deny these traffickers the benefit of any assets subject to the jurisdiction of the United States

and to prevent United States persons from engaging in any commercial dealings with them, their front companies, and their agents. Executive Order 12978 demonstrates the United States commitment to end the damage that such traffickers wreak upon society in the United States and abroad.

The magnitude and the dimension of the problem in Colombia—perhaps the most pivotal country of all in terms of the world's cocaine trade—are extremely grave. I shall continue to exercise the powers at my disposal to apply economic sanctions against significant foreign narcotics traffickers and their violent and corrupting activities as long as these measures are appropriate, and will continue to report periodically to the Congress on significant developments pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 24, 1998.

SPECIAL ORDERS

INDUSTRIAL GROUP PLANS TO BATTLE CLIMATE TREATY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. MILLER) is recognized for 60 minutes as the designee of the minority leader.

Mr. MILLER of California. Mr. Speaker, this past Sunday the American public was presented with a front-page article in the New York Times outlining a plan by an industrial group to battle the climate change treaty. This is a treaty that was arrived at in Kyoto, Japan earlier this year, which brought together the international community in a plan to fight against an increase in greenhouse gases that threaten this world with climate change.

It was a plan that was negotiated between all of the nations in attendance. Many nations signed on and many other nations have yet to sign on. It is a plan that is necessary if in fact we are going to prevent the worst impacts of global climate change.

What the New York Times article tells us is that a group of corporations, mainly large international oil companies, have put together a plan to spend millions of dollars to try to convince the American public that the overwhelming scientific evidence regarding global climate change is somehow shaky and not to be trusted, and that therefore we should not go forward with actions in this and other countries, and with efforts to bring developing countries on board the Kyoto treaty, that we should walk away from that treaty; and that certainly we should not attend the meetings in Buenos Aires later this year where we will attempt to bring on large developing countries such as China, Mexico, Brazil and other such nations that are contributing huge amounts of greenhouse gases to the atmosphere of our world.

But rather than work on that progressive agenda, rather than work in an effort to try to see how we can stem

greenhouse gases, these oil companies would rather try to convince people that in fact the science is not very good. Now that is contrary to the science itself and is contrary to the vast number of scientists around the world who have joined this effort to look at the science, to look at the data and try to help us predict what in fact is taking place with respect to greenhouse gases and global climate change.

But rather than participate in the serious scientific discourse, this group of oil companies has decided that they would take millions of dollars and try to convince the average citizen, under the portion of their plan that says victory will be achieved when the average citizen recognizes the uncertainties in climate science. Recognition of the uncertainties becomes part of conventional wisdom. So when you think about global climate change, about the threat of climate change, about warming, the oil companies want you to think, "well, the science is not very good so probably nothing much is going to happen."

Then they would like to move on and have the media recognize the uncertainties of climate science, so when the media presents stories about global change, about what is happening in our world, they would then say, "Well, we really do not know if this science is very good." Then they take more of their money and they would try to make the media balance out, try to get stories into the media about how the science is not very good, and they would hope that the media would then accept, if they spend enough money to convince the media, that they would accept that it is conventional wisdom that the science is not very good.

Now mind you, this all comes at a time, it is not a question whether the science is very good or not—the science is getting better and better. But unfortunately, what the science tells us is that the problem of global warming is becoming more and more a realistic problem for the future of the world and that steps must be taken.

But that is not what these oil companies do. They want to change the mind set of the media, of the American public, of industry and certainly of the government. And what they really want to do is arrive at a point where the Kyoto treaty is dead, there will be no further action on that treaty, as they spell out in their strategies and their tactics, and to make sure that we do not go forward, we do not go forward in Buenos Aires to bring other nations on to that treaty.

How would they measure this? They are going to track the percentage of media articles that raise questions about climate science. They are going to register the number of Members that they have been able to contact and send materials to change their mind about the climate science, the number of communications on climate science received by Members of Congress. So they are going to spend a few hundred thousand dollars tracking their efforts to see whether or not it is working.

You know, we have seen this all before, my colleagues. We saw it when the tobacco companies got together to try to convince the American public that there was no link between tobacco and cancer, that there was no link between the usage of tobacco and the incredible rate of lung cancer in this country and of other cancers.

They spent millions of dollars to undermine the scientists who were saying there is a link, to undermine the evidence. They told us more and more every year, and when the science came against their wishes, they paid scientists to keep it down, to not tell the American public. Now for the first time what we see are thousands, millions of pages of documents with the tobacco companies engaged in an effort to keep from the American public science that would tell them that tobacco and cancer are linked.

Now we see an effort where some industries do not like the scientists, independent scientists. They do not like what they have come up with on global warming. So what they want to do is, they want to establish what they would consider an independent global climate science data center, and from this center would flow information to Members of Congress, to the public, to State legislatures, to the mayors, city council people. But this independent center reportedly would be initially staffed, this is according to the memo from the public relations firm advising the oil companies, it will be staffed initially with professionals on loan from the various oil companies and associations of the major interests in climate change.

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So here we are going to have a bunch of people who work for oil companies as scientists who are now going to tell us what the independent science is on global warming, as opposed to the independent scientists who have been out there now for a number of years working for universities and foundations and others to try to find out what is happening. They want to create the impression that they have scientists who radically disagree with the prevailing science about the harms of greenhouse gases and the consequential global warming.

Mr. Speaker, we have to understand that there is something going on in business in America. Many of us in Congress have had complaints from our constituents about the impacts of HMOs and managed care. People come into our offices because they cannot get care for their spouse who is very ill, and they cannot get care for their children because somebody who is supposed to give a second opinion, some 800 number, they have to call where they talk to somebody, and they say, oh, no, we do not allow that care under your insurance plan.